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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/587,052 | 06/02/2000 | Timothy John Lindquist | 169.17 | 6630 |

5514 7590 02/20/2004

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| EXAMINER |
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PAN, DANIEL H

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| ART UNIT | PAPER NUMBER |
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2183

DATE MAILED: 02/20/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

14

Office Action Summary

Application No.

09/587,052

Applicant(s)

LINDQUIST, TIMOTHY JOHN

Examiner

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17 and 18 is/are allowed.
- 6) ☒ Claim(s) 1-8, 11, 12, 15, 16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. Claims 1-16 remain for examination. Claims 17,18 are newly added.
2. Claims 1-8, 11,12,15,16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jennings, III et al. (5,357,152) in view of Chmdani et al. (6,112,019).
3. Jennings, III et al. (5,357,152) in view of Chmdani et al. (6,112,019) have been cited in the previous Office action, therefore, copies of these patents are not included.
- 4.
5. As to the newly amended features of "selectively arrange" the processing units in claims 1, 11, Jennings also included selectively arranging the units (e.g. see the programmable selection of the logic networks in fig.4, col.5, lines 63-68, see also the programmable providing enabling signals to the ALUs for multiplication and the enabling signals to the ALUs implementing the add functionality in col.6, lines 29-35).
- 6.
7. The rejections are maintained and incorporated by reference the last Office action on 05/22/03.
8. Applicant's amendment filed on 11/28/03 has been fully considered but is not persuasive.
9. In the remarks, applicant argued in substance that :
 - a) Jennings did not teach dynamically configuration, and the logic network configuration of Jennings is fixed.

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b) Jennings did not have different number of processing units arranged in pipelined layers.

10. As to a) above, Jennings was able to use a programmable circuit to enable the clusters for performing distinct functions (e.g. see one cluster comprising 2 logic networks while the other cluster comprising 3 logic networks in col.4, lines 50-61, see also figs.3,4, see also the selection of desired logic function in col.2, lines 65-67, col.3, lines 1-3). It is not sure how "dynamic" the arrangement the applicant want it be in the claim ? Is applicant trying to say that "programmable" is not dynamic ? As far as "fixed" limitation argued by applicant, applicant is reminded that unclaimed features cannot be used to overcome prior art CCPA In re Lunderber & Zuschlag, 113 USPQ 530, 534 (1957)). For example, nowhere does applicant's claim recites not fixed, or the like. Nevertheless, Jennings disclosed that his invention contemplates the use of one or more logic networks that can perform a variety of logic functions either by configuration of a multi-function network or by sub-networks each perform one or more dedicated functions (col.1, lines 41-47), and this can permit smaller size programmable logic gate or memory array to be used to control a logic operation of a given complexity, or a given size of array to control more complex operations (col.1, lines 65-68). Therefore, Jennings is very flexible (see also selected desired logic function performed by the logic network in col.2, lines 66-68, see the corresponding enabling signals for ALUS in different clusters in col.6, lines 29-35). Moreover, Jennings logic network can be

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integrated with groups of memory cells which can be selectively activated (e.g. see col.2, lines 7-18), therefore, the configuration of Jennings network is flexible.

11.

12. As to b) above, Jennings included one group of clusters (a cluster is a plural logic networks) performing multiplication while the other clusters performing add operation in a pipelined fashion (e.g. see col.5, lines 23-30).

13. Claims 9,10,13,14 were objectable in the last Office action (reasons see page 5, lines 1-5 of the last Office action). The limitations of claims 9,10,13,14 have been already added into the newly proposed claims 17,18. Therefore, applicant is kindly reminded not to duplicate the claims in any case.

14.

15. Claims 17,18 are allowable for combining the objectable limitations with the limitations of the parent claims (see the reasons set forth in Page 5, lines 1-5 of the last Office action).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dan Pan whose telephone number is 703 305 9696. The examiner can normally be reached on M-F from 8:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chan, can be reached on 703 305 9712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DANIEL H. PAN
PRIMARY EXAMINER
GROUP 2/18